

PATENT APPLICATION DECLARATION AND POWER OF ATTORNEY

I HEREBY DECLARE THAT:

My residence, post office address, and citizenship are as stated next to my name in PART A hereof.

I believe I am the original, first, and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed) of the subject matter which is claimed and for which a patent is sought on the invention entitled

DEVICE AND METHOD FOR SUTURING TISSUE

the specification of which:

- ☐ is attached hereto.
- ☐ was filed on as Attorney Docket No. .
- ☒ was filed on 6/26/97 as Application Serial No. 08/883,246
and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed in PART B on page 2 hereof and have also identified in PART B hereof any foreign application for patent or inventor's certificate having a filing date before that of the application of which priority is claimed.

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed in PART C hereof and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application. If the patent application identified above is a continuation-in-part application, I acknowledge the duty to disclose material information as defined in 37 CFR §1.56(a) which occurred between the filing date of the prior application and filing date of the continuation-in-part application which discloses and claims subject matter in addition to that disclosed in the prior application (37 CFR §1.63(d)).

I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Stephen E. Baldwin, Reg. No. 27,769; Timothy H. Gens, Reg. No. 29,153 and Laurence J. Shaw, Reg. No. 34,723 provided that if any one of said attorneys ceases being affiliated with the law firm of Trial & Technology Law Group as partner, employee or of counsel, such attorney's appointment as attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

Direct all telephone calls to Timothy H. Gens at (415) 324-2269

Address all correspondence to:

Timothy H. Gens, Esq.
TRIAL & TECHNOLOGY LAW GROUP
A Professional Law Corporation
545 Middlefield Road
Suite 220
Menlo Park, CA 94025

PART A: Inventor Information and Signature

Full name of SOLE or FIRST inventor BERNARD H. ANDREAS

Citizenship UNITED STATES

Post Office Address 33168 Lake Superior Place
Fremont, California 94555

Residence (if different) (same) 36812 Second St Fremont, CA 94536

Inventor's Signature:  Date: 10/13/97

Full name of SECOND joint inventor, if any MICHAEL BARRETT

Citizenship UNITED STATES

Post Office Address _____

Residence (if different) (same) 677 Kenneth ave Campbell CA 95008

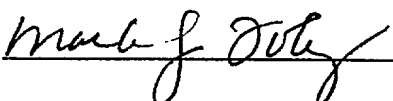
second Inventor's Signature:  Date: 10/13/97

Full name of THIRD joint inventor, if any MARK J. FOLEY

Citizenship UNITED STATES

Post Office Address 141 MASSOL AVE
LOS GATOS, CA 95030

Residence (if different) (same)

third Inventor's Signature:  Date: OCT. 13, 1997

Full name of FOURTH joint inventor, if any BRIAN GORE

Citizenship UNITED STATES

Post Office Address _____

Residence (if different) (same)

fourth Inventor's Signature: _____ Date: _____

Full name of FIFTH joint inventor, if any LEWIS ISBELL

Citizenship UNITED STATES

Post Office Address 34800 Hollyhock St.
Union City, CA 94587

Residence (if different) (same)

fifth Inventor's Signature: Lewis Isbell Date: 10/13/97

Full name of SIXTH joint inventor, if any RONALD SONGER

Citizenship UNITED STATES

Post Office Address 5336 PEASANT CREST DR.
SAN JOSE, CA 95148

Residence (if different) (same)

sixth Inventor's Signature: Ronald Songer Date: 10/13/97

Full name of SEVENTH joint inventor, if any JAMES W. VETTER

Citizenship UNITED STATES

Post Office Address 275 Willowbrook
Portola Valley, California 94028

Residence (if different) (same)

seventh Inventor's Signature: [Signature] Date: 9/18/97

PART B: Prior Foreign Application(s)

Serial No.	Country	Day/Month/Year Filed	Priority Claimed
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

PART C: Claim for Benefit of Filing Date of Earlier U.S. Application(s)

Serial No.	Filing Date	Status:
07/989,611	12/10/92	now U.S. Patent 5,417,699 <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned
08/252,124	6/1/94	now U.S. Patent 5,613,974 <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned
08/259,410	6/14/94	<input checked="" type="checkbox"/> Pending <input type="checkbox"/> Abandoned
08/824,031	3/26/97	<input checked="" type="checkbox"/> Pending <input type="checkbox"/> Abandoned

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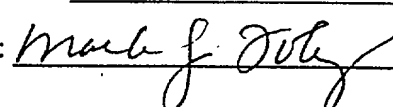
second Inventor's Signature:  Date: 10/13/97

Full name of THIRD joint inventor, if any MARK J. FOLEY

Citizenship UNITED STATES

Post Office Address 141 MASSOL AVE
LOS GATOS, CA 95030

Residence (if different) (same) _____

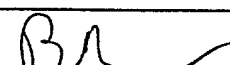
third Inventor's Signature:  Date: OCT. 13, 1997

Full name of FOURTH joint inventor, if any BRIAN GORE

Citizenship UNITED STATES

Post Office Address 6555 WHIRLAWAY CIRCLE
ORLANDO, FL 32818

Residence (if different) (same) _____

fourth Inventor's Signature:  Date: 11/19/97

Full name of FIFTH joint inventor, if any LEWIS ISBELL

Citizenship UNITED STATES

Post Office Address 34800 Hollyhock St.
Union City, CA 94587

Residence (if different) (same)

fifth Inventor's Signature: Lewis Isbell Date: 10/13/97

Full name of SIXTH joint inventor, if any RONALD SONGER

Citizenship UNITED STATES

Post Office Address 5538 PLEASANT CREST DR.
SAN JOSE, CA 95148

Residence (if different) (same)

sixth Inventor's Signature: Ronald Songer Date: 10/13/97

Full name of SEVENTH joint inventor, if any JAMES W. VETTER

Citizenship UNITED STATES

Post Office Address 275 Willowbrook
Portola Valley, California 94028

Residence (if different) (same)

seventh Inventor's Signature: J. Vetter Date: 9/18/97

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08/824,031	3/26/97	<input checked="" type="checkbox"/> Pending <input type="checkbox"/> Abandoned

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
Bernard H. Andreas, et al.) Group Art Unit: 3731
Application No.: 08/883,246) Examiner: Jackson, G.
Filed: June 26, 1997)
For: DEVICE AND METHOD FOR)
SUTURING TISSUE)

ASSOCIATE POWER OF ATTORNEY

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. §1.34(b), I hereby appoint David R. Heckadon, Registration No. P-50,184, of Burns, Doane, Swecker & Mathis, L.L.P., P.O. Box 1404, Alexandria, VA 22313-1404, as an Associate Attorney in the above-identified application with full power to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith.

Respectfully submitted,

By:


Kelly J. McCrystle
Registration No. 46,257

Post Office Box 1404
Alexandria, Virginia 22313-1404
(650) 622-2300

Date: December 5, 2001